

REMARKS

The non-final Office Action of September 14, 2010, (“the Office Action”) has been carefully reviewed and the remarks that follow are responsive thereto. No claims have been amended. Claims 1-25 have been canceled. Claims 26-54 have been added. No new matter has been introduced. Claims 26-54 are thus pending. Reconsideration and allowance of the instant application are respectfully requested.

Claim Rejections Under 35 U.S.C. § 101

Claims 1-20 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter.

Without acquiescing to the rejection, and in order to expedite prosecution, Applicants have canceled claims 1-20, thus rendering this rejection moot. Applicants therefore respectfully request that this rejection be withdrawn.

Claim Rejections Under 35 U.S.C. § 112

Claims 1-25 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention.

Without acquiescing to the rejection, and in order to expedite prosecution, Applicants have canceled claims 1-25, thus rendering this rejection moot. Applicants therefore respectfully request that this rejection be withdrawn.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over a non-patent reference entitled “Web Services Conceptual Architecture” by Heather Kreger (hereinafter “Kreger”) in view of U.S. Patent Application Publication No. 2003/0090514 of Cole et al. (hereinafter “Cole”). For the reasons set forth below, Applicants respectfully traverse this rejection.

Without acquiescing to the rejection, and in order to expedite prosecution, Applicants have canceled claims 1-25, thus rendering this rejection moot. Applicants therefore respectfully request that this rejection be withdrawn. Insofar as new claims 26-54 include some similar features of the canceled claims, the rejection is addressed below.

New Claims

Claims 26-54 have been added, and no new matter has been introduced. Support for claims 26-54 may be found throughout the original specification. In addition, Applicants respectfully submit that claims 26-54 are allowable over Kreger and Cole for at least the reasons set forth below.

Independent claim 26 recites a method, comprising, *inter alia*, “executing, by a computing device, business logic expressed in one or more declarative languages, the business logic including a process description, the process description defining one or more flows, one or more rules, and one or more states.” Applicants respectfully submit that Kreger and Cole, whether applied alone or in combination, fail to teach or suggest such features.

Indeed, the Office Action concedes that Kreger “does not expressly teach a process description including rules and states; wherein States represent the legal State transitions for a business entities [*sic*], and Rules represent the business rules and policies enforced on the business entities in an externalized form.” Office Action at 5. The Office Action asserts, however, that Cole “teaches a technique for controlling business processes using rules, states and flows (par. 0015, lines 1-24)); wherein States represent the legal state transitions for a business entities (par. 0112, 0115), and Rules represent the business rules and policies enforced on the business entities in an externalized form (par. 0073-0074).” Office Action at 5.

In pertinent part, however, Cole states:

[0073] Once the context adaptability framework has been defined and the business processes established, Rule System Elements (RSEs) or rules are defined to drive the specific functions of a UI according to the present invention. These rules may drive the sequence of screens and the display of information. Rules are used to define validity checks and constraints, and to manage the transition from one business process to another. The flexibility with which rules may be changed to affect different outcomes accommodates the varying requirements of different health providers.

[0074] Context layers group together RSEs. Only those business rules, business processes, etc. that are present in the identified context layer are used to enable business process context adaptability. The system according to the present invention uses information in master files to determine the context in which a business process should be operating. Rules are used to define validity checks and constraints for business objects and business processes. For example, RSEs may be marked as blockable or not to

facilitate the varying requirements of different health providers within the client context layer.

Cole at paragraphs [0073] to [0074]. In addition, Cole states:

[0112] Process states roughly correspond to a step or a phase of a process. A business process may be in a given process state. Each process state may have its own set of constraints. The constraints for a process state need not be attached to a context layer since the state itself is defined for a specific context. There are zero or more constraints associated with a process state which signify the conditions that need to be true for a business process or object to be valid in the given state. These constraints may be looked at as the goals for a given process state. A process needs to be valid in its current state before any non-immediate transitions are evaluated. . . .

[0115] A business process transits from one process state to another. A process transition instance connects two states--the "from" and "to" states--within the same business process. A process transition instructs the system when to transition to a specific process state using trigger events. This allows control over where a process should flow next. For example, when a patient is being registered, the trigger event might be to check and see if the person being registered has an existing scheduled encounter. The end state would be to display the screen that enables the user to view existing scheduled encounters for that patient.

Cole at paragraphs [0112] and [0115].

While Cole thus generally describes rules that “drive the specific functions of a UI” and process states that “roughly correspond” to steps or phases of a process, Cole fails to cure the above-noted deficiencies of Kreger. In particular, Cole lacks any teaching or suggestion of one or more rules and one or more states that are defined by a process description included in business logic expressed in one or more declarative languages. Thus, even assuming, without conceding, that Kreger and Cole are properly combinable, no combination thereof would have resulted in the features discussed above because no combination thereof would include “executing, by a computing device, business logic expressed in one or more declarative languages, the business logic including a process description, the process description defining one or more flows, one or more rules, and one or more states,” as recited in claim 26.

For at least these reasons, independent claim 26 is allowable. In addition, independent claims 40 and 54 recite similar features as claim 26, and thus, claims 40 and 54 are allowable for substantially the same reasons as claim 26.

Claims 27-39 and 41-53 ultimately depend from independent claims 26 and 40, respectively, and therefore are allowable by virtue of their dependence and further in view of the various features recited therein.

CONCLUSION

All issues having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same. However, if for any reason the Examiner believes the application is not in condition for allowance or if there are any questions, the Examiner is invited to contact the undersigned at (202) 824-3000.

Respectfully submitted,
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